

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

| | | |
|--------------------------------|---|-------------------------|
| SANDRA WELLS formerly known as | * | |
| Sandra Farris | * | |
| PLAINTIFF | * | |
| VS. | * | CIVIL ACTION NO. |
| | * | |
| CACH, L.L.C. | * | COMPLAINT AND |
| | * | DEMAND FOR A JURY TRIAL |
| DEFENDANT | * | |

COMPLAINT

I. Introduction

1. This is an action for damages brought by an individual consumer for defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION

2. Jurisdiction of this court arises under 15 U.S.C. § 1692k, 28 U.S.C. §§ 1331 and 1337.

III. PARTIES

3. Plaintiff, Sandra Wells formerly known as Sandra Farris (hereinafter referred to as "Ms. Wells" or "plaintiff"), is a natural person and a resident of Rapides Parish, and is a "consumer" as defined by 15 U.S.C. § 1692a(3).

4. Defendant, CACH, L.L.C. (hereinafter referred to as "CACH" or "defendant") is a foreign limited liability company conducting business in Louisiana whose registered agent for service of process in Louisiana is C T Corporation System, 5615 Corporate Boulevard, Suite 400B,

Baton Rouge, LA 70808. Defendant, at all times relevant hereto, regularly attempted to collect debts alleged to be due another and is a "debt collector" as defined under the FDCPA.

IV. FACTUAL ALLEGATIONS

5. Defendant is attempting to collect a debt allegedly owed by plaintiff in the amount of approximately \$1,307.67.

6. This alleged debt arose from a Household Bank credit card that was used solely for personal, family and household purposes.

7. Defendant filed a lawsuit against plaintiff entitled "CACH, LLC vs. Sandra Farris" bearing docket number 229,514 in the Ninth Judicial District Court for the Parish of Rapides, State of Louisiana (hereinafter referred to as "the state court lawsuit").

8. Plaintiff filed a pro se answer to the state court lawsuit that denied each of the allegations raised by defendant in the state court lawsuit.

9. Plaintiff therefore disputed in writing the alleged debt sought to be collected by defendant in the state court lawsuit.

10. Defendant has been reporting this account to the three main consumer reporting agencies, Equifax Information Services, L.L.C., Experian Information Solutions, Inc., and Trans Union, L.L.C.,.

11. Since plaintiff filed her answer and in the one year period prior to filing this Complaint, defendant thereafter failed to notify the three main consumer reporting agencies, Equifax Information Services, L.L.C., Experian Information Solutions, Inc., and Trans Union, L.L.C., that plaintiff has disputed the validity of the alleged debt sought to be collected and sued upon in the state court lawsuit.

12. As of the filing of this complaint, defendant has still failed to notify the three main consumer reporting agencies that plaintiff has disputed in writing the alleged debt sought to be collected by defendant.

13. Consequently, defendant violated the FDCPA by reporting this account to a consumer reporting agency without noting that this account was disputed as required by 15 U.S.C. § 1692e(8).

14. Defendant is liable to plaintiff for her actual damages, additional damages, attorney's fees, and costs.

WHEREFORE, plaintiff Sandra Wells respectfully requests that judgment be entered against defendant CACH L.L.C. for actual damages, additional damages, statutory damages, attorney's fees, costs for such other and further relief as may be just and proper.

A JURY TRIAL IS DEMANDED.

BY ATTORNEY:

s/Garth J. Ridge

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